

105TH CONGRESS
2D SESSION

S. RES. 239

To authorize testimony and document production and representation of Senate employees in *Pointe Properties, Inc., et al. v. Michael J. Bevenour, et al.*

IN THE SENATE OF THE UNITED STATES

JUNE 1, 1998

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution;
which was considered and agreed to

RESOLUTION

To authorize testimony and document production and representation of Senate employees in *Pointe Properties, Inc., et al. v. Michael J. Bevenour, et al.*

Whereas, in the case of *Pointe Properties, Inc., et al. v. Michael J. Bevenour, et al.*, No. 96–CA–009720, pending in the Superior Court for the District of Columbia, testimony has been requested from Mike Morrill, an employee on the staff of Senator Barbara A. Mikulski;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony or the production of documents relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

1 *Resolved*, That Mike Morrill, and any other employee
 2 from whom testimony or document production may be re-
 3 quired, are authorized to testify and produce documents
 4 in the case of Pointe Properties, Inc., et al. v. Michael
 5 J. Bevenour, et al., except concerning matters for which
 6 a privilege should be asserted.

7 SEC. 2. The Senate Legal Counsel is authorized to
 8 represent Mike Morrill, and any other employee from
 9 whom testimony or document production may be required,
 10 in connection with Pointe Properties, Inc., et al. v. Michael
 11 J. Bevenour, et al.

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